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Declassified Case: UN 52366 Date: 1-31-2012

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~~REF ID: A6526~~

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41
ACTION AREA-1B
URGENT

INFO OCT-81 150-80 ARAE-80 SSO-CB NSCC-EP INRE-80 USIE-80
SD-15 PM-80 SP-80 L-80 M-80 OPA-81 PV-80 A-81 PDP-81

C NSC-CB CIAA-80 INR-80 NSAT-80 DDCI-80 /897 N
----- 135339

0311982 MAR 76
F: EMBASSY BUENOS AIRES
TO PERSTATE WASHDC IMMEDIATE 8073

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C DEPARTMENT PASS CIA & USIS

E.O. 11652: D/A
TOPSY, PFOB, PINS, RD, NM, LAC
SUBJECT: VIOLATIONS OF DIPLOMATIC IMMUNITY

C COMMENT BY RSD BECKETT: IN THE LAST-FIVE DAYS A SERIES
OF INCIDENTS HAVE OCCURRED WHICH POSED A THREAT TO MEMBERS
OF THE STAFF. GOC INITIATED IMMEDIATE ACTION TO PRECLUDE
REOCURRENCE OF THESE INCIDENTS.

E. ON MARCH 25, 1976 AT - 2000 HOURS COL. ENNETT A. NIBLACK,
AIR ATTACHE, AND HIS WIFE WERE TRAVELING IN A U.S. GOVERN-
MENT VEHICLE EQUIPPED WITH DIPLOMATIC PLATES. THEIR CAR
WAS STOPPED BY A GROUP OF SOLDIERS OPERATING A ROADBLOCK.
COL. AND MRS. NIBLACK WERE ORDERED FROM THE AUTOMOBILE
AND TOLD TO PLACE THEIR HANDS ON THE ROOF OF THE VEHICLE.
COL. NIBLACK ORALLY IDENTIFIED HIMSELF AND HIS DIPLOMATIC
STATUS. BOTH COL. AND MRS. NIBLACK WERE SUBJECT TO A
BODY SEARCH (PAT DOWN). COL. NIBLACK INFORMED THE GOC
THAT HE WANTED TO REACH INTO HIS POCKET FOR HIS DIP-
LOMATIC CERT. THE GOC SHOWED THE .45 CAL. PISTOL HE
WAS HOLDING INTO COL. NIBLACK'S BACK. THE AIR ATTACHE
AGAIN ADVISED THE GOC HE WANTED TO REACH FOR HIS CERT
AND NOT A GUN. THE GOC CALLED A COMMISSIONED OFFICER.

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THIS OFFICER EXAMINED THE CERT AFTER WHICH HE PER-
MITTED NIBLACK AND HIS WIFE TO DEPART.

3. ON MARCH 26, 1976 AT 2015 MICHAEL F. O'BRIEN, PRESS
OFFICER (USIS) AND HIS WIFE WERE TRAVELING IN THEIR
PRIVATE AUTOMOBILE EQUIPPED WITH DIPLOMATIC PLATES.
THEY ENCOUNTERED A ROADBLOCK AND WERE ORDERED TO STOP
THE VEHICLE AND DISMOUNT. THEY WERE DIRECTED TO PLACE
THEIR HANDS ON THE TOP OF THE CAR. O'BRIEN WAS SUBJECTED
TO A BODY SEARCH. HIS WIFE WAS NOT PHYSICALLY SEARCHED
BUT HER POCKETBOOK WAS EXAMINED. ON MARCH 26, 1976 AT
1000 AND 1700 HOURS THE O'BRIENS WERE AGAIN STOPPED
BY ROADBLOCKS. THEIR CHILDREN WERE WITH THEM ON THESE
TWO OCCASIONS. TWICE AGAIN THE SEARCH PROCEDURES WERE
CARRIED OUT AS DESCRIBED WITH THE EXCEPTION THAT THE
CHILDREN WERE NOT REQUIRED TO LEAVE THE AUTOMOBILE.

4. ON MARCH 26, 1976 AT 0015 CHARLES E. ENWOOD,

CONSUL FOR ADMINISTRATION WAS TRAVELING
IN A U.S. GOVERNMENT VEHICLE EQUIPPED WITH DIPLOMATIC
PLATES. THE AUTOMOBILE WAS STOPPED AT A ROADBLOCK.
WHILE MR. ENNERS WAS IDENTIFYING HIMSELF A WEAPON WAS
APPARENTLY ACCIDENTALLY DISCHARGED NEARBY THE VEHICLE.
NOTHING STRUCK THE VEHICLE AND THERE WAS NO INDICATION
THE WEAPON HAD BEEN FIRED INTENTIONALLY.

5. ON MARCH 29, 1976 AT 1840 HOURS GEORGE O. HOGY,
CONSUL GENERAL, WAYNE S. SMITH, COUNSELOR FOR POLITICAL
AFFAIRS, FRANK ZAMBITO, SECOND SECRETARY, POLITICAL
SECTION, LT. COL. WILLIAM P. JIGMA, STAFF JA, USAF
SOUTHERN AIR DIVISION WERE TRAVELING IN A U.S. GOVERNMENT
VEHICLE WHICH WAS EQUIPPED WITH DIPLOMATIC PLATES AND
DRIVEN BY AN EMBASSY CHAUFFEUR. THIS AUTOMOBILE WAS
BLOCKED BY AN ARMED MEMBER OF GDA MILITARY FROM THE
STREAM OF MAIN TRAFFIC AND DIRECTED INTO A SERVICE LANE
WHERE A ROADBLOCK HAD BEEN ESTABLISHED. THE AUTOMOBILE
WAS SURROUNDED BY MEMBERS OF THE GDA MILITARY POINTING
WEAPONS AT THE VEHICLE. ALL INDIVIDUALS WERE ORDERED
TO DISMOUNT THE AUTOMOBILE, WALK TO THE WALL AND ASSUME
A SPREAD EAGLE POSITION. EACH INDIVIDUAL WAS THEN SEARCHED.
DIPLOMATIC PERSONNEL VERBALLY IDENTIFIED THEMSELVES TO THE

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MILITARY AS MEMBERS OF THE DIPLOMATIC CORPS. WHEN THE
SEARCH WAS COMPLETED THE COUNSELOR FOR POLITICAL AFFAIRS
ASKED FOR THE NAME OF THE FEDERAL POLICE SERGEANT WHO
WAS PRESENT. THE CONSUL GENERAL ALSO ASKED FOR THE
SERGEANT'S NAME. ONE OF THE GUARDS SHOVED A MACHINEGUN
IN THE STOMACH OF THE CONSUL GENERAL. THE COUNSELOR
FOR POLITICAL AFFAIRS INFORMED THE SERGEANT THAT HE WOULD
NOT LEAVE THE PREMISES UNTIL HE HAD THE SERGEANT'S NAME.
THE SERGEANT ELECTED HIS WEAPON POINTING IT AT THE
COUNSELOR FOR POLITICAL AFFAIRS HEAD AND TELLING
HIM THAT IF HE DID NOT DEPART THE SCENE HE WOULD BE
SHOT. THE GROUP RETURNED TO THE AUTOMOBILE AND DEPARTED.

AT 1840 A SECOND EMBASSY AUTOMOBILE WAS IN THE SAME
TRAFFIC STREAM AS THE ONE MENTIONED ABOVE. PASSENGERS
IN THE CAR OBSERVED THE SEARCHING OF THE INDIVIDUALS IN
THE FIRST VEHICLE. THE GDA MILITARY SELECTED THIS CAR
AND DIRECTED IT INTO THE ROADBLOCK. THE FOLLOWING WERE
OCCUPANTS OF THE CAR: CHARLES E. SIMMONS, COUNSELOR
FOR ADMINISTRATION, GEORGE S. BICKERTON, ATTACHE (RSO)
DAVID L. TANNER, ASSISTANT ATTACHE (ASSISTANT RSO)
PETER LONDON, COMMERCIAL ATTACHE AND AN EMBASSY CHAUFFEUR.
AS IN THE CASE OF THE FIRST VEHICLE, MEMBERS WERE ORDERED
FROM THE CAR AND SEARCHED. FOLLOWING THE TERMINATION
OF THE WALL SEARCH THE COUNSELOR FOR ADMINISTRATION AND
THE RSO ASKED THE POLICE SERGEANT FOR HIS IDENTIFICATION.
ALL MEMBERS OF THE VEHICLE HAD IDENTIFIED THEMSELVES AS
DIPLOMATS AND THE COUNSELOR FOR ADMINISTRATION THROUGHTOUT
THE COURSE OF THE EVENT HELD HIS DIPLOMATIC CERTIFICATE IN HIS
POCKET. THE DIPLOMAT IMMEDIATELY TOLD THE COUNSELOR FOR ADMINISTRATION
THAT THE SEARCH WAS A MILITARY MATTER NOT A FEDERAL POLICE
MATTER, AND SHOULD HE HAVE ANY COMPLAINTS HE
SHOULD TAKE THEM TO THE FOREIGN OFFICE.

6. FOLLOWING THIS STATEMENT THE FOUR U.S. DIPLOMATS WERE
PERMITTED TO RETURN TO THEIR CAR AND DEPART.

IN FIVE OF THE SIX CASES DESCRIBED ABOVE THE VEHICLES
CONCERNED WERE COMPLETELY SEARCHED WHILE THEIR OCCUPANTS
WERE NOT ABOARD. IN ALL CASES DESCRIBED ABOVE THE
GDA MILITARY MEMBERS WERE ADVISED BY U.S. PERSONNEL

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BEFORE THEY LEFT THEIR VEHICLES THAT THEY WERE MEMBERS
OF THE DIPLOMATIC CORPS.

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